

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wanda Sims-Barnes

Group Art Unit: 3712

Serial No: 09/921,801

Filed : 08/06/2001

Examiner: Fernstrom, Kurt

Title : Literacy Training
Method

ISSUE FEE TRANSMITTAL LETTER

MAIL STOP ISSUE FEE
Commissioner of Patents
P.O. Box 1450
Alexandria VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313-1450 on 4/27/05

[Signature]
Name: [Signature] Reg. No. 25,720

Sir:

Submitted herewith, is Part B of the most recent (**SECOND**) Notice Of Allowance received from the USPTO regarding this application, together with a check in the amount of \$50.00, a copy of the Small Entity Statement originally filed in this application, a copy of the **FIRST** Notice of Allowance paid by Applicant to the USPTO, and a copy of the check paid by the Applicant in response to the **FIRST** Notice of Allowance.

PLEASE NOTE THE CORRECTION MADE BY APPLICANT TO THE FEE
CALCULATION IN PART B OF THE SECOND NOTICE OF ALLOWANCE.

A **FIRST** Notice Of Allowance and Fees Due was mailed in this

application, by the USPTO, on 06/26/03. The 06/26/03 Notice was calculated improperly by designating the application as being a Large Entity filing and designating a publication fee when the original application contained a Small Entity Declaration and a request not to be published.

Applicant's counsel spent significant time seeking correction of the Notice Of Allowance from the USPTO and after complete frustration with a failure of the USPTO to make promised corrections, coupled with concern that the date for payment might expire, Applicant on 09/18/03 mailed to the USPTO a self-corrected Notice Of Allowance, together with a copy of the Small Entity statement originally filed with this application and a corrected Fee in the amount of \$950.00, representing \$650.00 for the Small Entity Issue Fee and \$300.00 for the Publication Fee.

After these fees were paid, the application was taken off allowance BY THE USPTO and a further Official Action was mailed citing new references and rejections. Applicant did not request refund of the fees paid, and did not receive same from the USPTO.

After further examination, the Application was again found in condition for allowance and a SECOND Notice of Allowance, mailed 01/31/05, was received reciting a due date of 05/02/2005. The second Notice of Allowance again recited large entity status, even though the USPTO has 2 filings of record claiming Small Entity

qualification, and the date for reply is greater than 3 months from the mailing date.

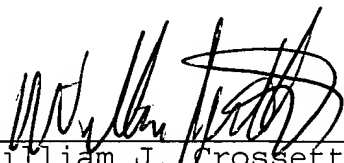
Counsel has again sought correction of the Notice Of Allowance and has been promised same by the USPTO, but again is frustrated by a lack of action on the part thereof and is concerned the date for payment might expire.

Applicant notes that as of the Effective Date of December 8, 2004 the Issue Fee for a Small Entity Utility Application is \$700.00. Applicant has already paid an Issue Fee in this case in the amount of \$650.00 leaving the maximum possible excess fee due of \$50.00.

No further publication fee is demanded by the USPTO or seen as applicable by Counsel.

Respectfully submitted,

CROSSETTA & ASSOCIATES



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WJC/lmc
Encls.

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Dated: April 22, 2005



WANDA LILLIAN SIMS BARNES, PH.D. PO BOX 1675 CHEEKTOWAGA, NY 14225		1510
<i>Sept. 16, 2003</i> DATE		10-4/220 BRANCH 53
PAY TO THE ORDER OF	<i>Commissioner of Patents</i>	\$ <i>950.00</i>
<i>Nine hundred + fifty dollars</i>		<i>09</i> DOLLARS <i>100</i>
M&T Bank Manufacturers and Traders Trust Company Airport Plaza Office		M&T Select
FOR	<i>Wanda L. Sims Barnes</i>	
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REC'D IN THE U.S. PATENT AND TRADEMARK OFFICE

Docket No. :

Applicant : Wanda Sims-Barnes
Serial No. : 09/921,801
Filing Date: 08/06/2001

Transmittal Letter
Issue Fee Transmittal form (2 pgs)
small Entity Statement (2 pgs)
Check in the amount of \$950.00